

Hull Names Eight To Serve as Advisers At Havana Parley

Hope Prevails for Accord To Avert Anglo-French Battle at Martinique

By GARNETT D. HORNER.

Experts on American trade, financial, agricultural and legal problems arising from the European war were selected from four Government departments yesterday by Secretary of State Hull to act as his advisers at the emergency Pan-American Conference opening at Havana Saturday.

Secretary Hull conferred with his aides throughout the day, giving his full attention to formulation of the United States policy toward the numerous questions confronting the conference, the second special meeting of foreign ministers of the American republics occasioned by war developments.

Meanwhile, hope prevailed in authoritative diplomatic quarters that a definite agreement designed to avert any trouble-making "incident" concerning the French West Indian island of Martinique may be reached by the British and French governments this week.

Tense Situation Created. Presence of British warships in the vicinity of Martinique, reportedly determined to prevent any action that would deliver French war vessels and a consignment of American-made airplanes there into German hands, has created a tense situation. Any battle between the French and British vessels in the area, which is well within the Pan-American neutrality zone, would seriously concern the American republics.

Secretary Hull is understood to have taken a hand in efforts to effect a settlement between the British and French that would neutralize the area. The settlement was reported yesterday to hinge on reply of the French government to proposals submitted earlier last week, with the reply delayed by slow communications between Washington and France.

A proposal for an international commission to supervise the carrying out of guarantees that the French warships at Martinique will play no further part in the war was reported under consideration. Chief difficulty in the negotiations was expected to be British insistence on delivery to them of the American airplane shipment held up at the island, based on contention that the 100 or more planes involved were included in an arrangement under which Britain took over all French orders for war equipment in this country.

Lithuanian and St. Quentin See Welles. Both Lord Lithuanian, British Ambassador, and Count Rene de St. Quentin, French Ambassador, called on Undersecretary of State Sumner Welles yesterday, but declined to disclose whether they had discussed the Martinique situation. The French Ambassador told reporters, however, that he was convinced the French would prevent any action which would harm peaceably.

Unless the conflict of British and French interests at Martinique is settled promptly, it might create an unusually urgent problem for the Havana conference, which is scheduled to consider long-range policy for joint action to prevent any transfer of territory in the Western Hemisphere from one non-American power to another.

The conference also will consider measures for increased inter-American economic unity and co-operation to combat the economic activities, as well as possible revision of the strict neutrality standards adopted at a similar meeting in Panama last fall, soon after the war broke out.

Secretary Hull's selection of his advisers for the Havana meeting emphasizes the attention he expects to give to economic problems resulting from the wartime virtual loss of European markets for American products.

Berle Heads Group. Assistant Secretary of State A. A. Berle, Jr., heads the group of eight advisers representing the State, Treasury, Commerce and Agriculture Departments. The party is scheduled to leave here by train Thursday afternoon for Miami, Fla., going from there to Havana either by plane or boat.

Besides Mr. Berle, the group includes William C. Sullivan, American Ambassador to Panama; Graham H. Hackworth, State Department legal adviser; Leo Pasovolsky, State Assistant to the Secretary of State; Laurence Duggan, chief of the Division of American Republics; Harry D. White, Treasury Department director of monetary research; Grosvenor M. Jones, assistant director of the Bureau of Foreign and Domestic Commerce; and Leslie A. Wheeler, director of the Agriculture Department's Office of Foreign Agricultural Relations.

Mr. Berle and Mr. Pasovolsky have given special attention recently to development of a program outlined by President Roosevelt for an inter-American trading corporation to handle all of the exportable surplus of the Americas in an effort to prevent German penetration through barter deals. The so-called cartel program is expected to be considered at Havana, along with other measures for economic co-operation.

Training Bill Indorsed By Michigan Educators

By the Associated Press. LANSING, Mich., July 13.—The Michigan Education Association, representing 34,000 teachers, today advocated military training in schools.

The board of directors passed a resolution favoring training of the R. O. T. C. type because "present circumstances in the world today make it imperative that the Nation be prepared to meet any eventualities."

Force Now Considerable, Gen. de Gaulle Reports

By the Associated Press. LONDON, July 13.—Gen. Charles de Gaulle, whom British recognizes as "the leader of free Frenchmen," said tonight in a Bastille Day broadcast: "I am able to declare that there exists already under my command a considerable military force, ready to fight at any moment on land, in the skies and on the sea."

France, he said, one day would "punish those who are responsible for her disaster and her bondage."



COLORADO SPRINGS, COLO.—WILLKIE RELISHES SWIM.—Vacationing in Colorado, Wendell L. Willkie, who learned to swim in the "ole swimming hole" at Elwood, Ind., takes a daily morning plunge in his hotel pool. And the Republican presidential nominee's big laugh shows he likes it.—A. P. Wirephoto.

Mrs. Simms, Backer Of Dewey, Promises To Aid Willkie

Enthusiastic Support For Nominee Reported By Brooks and Lyons

By the Associated Press. COLORADO SPRINGS, Colo., July 13.—Mrs. Ruth Hanna McCormick Simms, one of the chief backers of Thomas E. Dewey for the Republican presidential nomination, said today she would work actively for the election of Wendell L. Willkie.

Mrs. Simms, who drove here from her big Trinchera ranch, in Southern Colorado and New Mexico, said next to Mr. Willkie at his afternoon press conference.

Those members of Mr. Dewey's campaign with whom I have been in touch are 100 per cent for Mr. Willkie," Mrs. Simms asserted. Mrs. Simms said she would be "just as active as I can" in making speeches and writing letters in Mr. Willkie's behalf.

Brooks and Lyons Present. Also present at the press conference were C. Wayland Brooks, Republican senatorial candidate in Illinois, and Richard J. Lyons, former Illinois contender for the Senate. Both said they had talked with rank-and-file citizens since Mr. Willkie's nomination and that they had found "enthusiastic support" for him.

Mrs. Simms invited Mr. Willkie to her ranch. He replied that he had always wanted to see a large ranch.

She told reporters the Republican outlook "is extremely favorable." Her home State of Illinois, Mrs. Simms said, "will make a fight, but I think we'll win."

"There is one thing I would like to volunteer. There have been a lot of Texans moving into New Mexico, and that has given the Democrats hope in New Mexico. I talked recently to four of the most prominent Democrats in the State and they whispered in my ear that they would vote for Mr. Willkie."

Issue Defined. Mr. Brooks said, "This campaign is not going to be drawn on strictly Republican or Democratic lines."

It will be fought out on the issue of whether the Nation wants to approve the already manifest New Deal ideas, with power concentrated in the hands of a few men, or whether the Nation wants an adequate mechanized armed defense and a strong national economy sufficient to produce and maintain that national defense."

Mr. Willkie said he agreed with Mr. Brooks' statement. The Republican candidate discussed campaign strategy in a telephone conversation with Representative Martin, Republican, of Massachusetts, House minority leader and new chairman of the Republican National Committee.

Calvo Sotelo Mourned By Nationalist Spain

By the Associated Press. MADRID, July 13.—Nationalist Spain mourned today the man it regards as a martyr to its cause, Jose Calvo Sotelo.

This monarchist leader was shot to death four years ago today by men dressed in the uniform of Republican assault guards and his death touched off, somewhat prematurely, the Nationalist revolution which finally overthrew the republic.

To Republicans, Calvo Sotelo himself was a terrorist. Spain's newspapers today said of him: "His blood fired the courage of Spaniards and set in motion the uprising which culminated in regeneration of the fatherland."

Daniels Flies to Attend Democratic Convention

By the Associated Press. MEXICO CITY, July 13.—United States Ambassador Joseph Daniels left by plane today for Chicago and the Democratic National Convention, where he will vote with the Roosevelt-instructed North Carolina delegation.

"I think Mr. Roosevelt will be nominated practically without opposition," the envoy said before his departure.

Mr. Daniels will preside next Wednesday at an old-timers' breakfast honoring William Jennings Bryan, who was nominated for the presidency at Chicago 44 years ago.

Platform

(Continued From First Page.)

next morning," Mr. Maverick said—and the crowded hearing room broke into applause.

"If the Democrats don't take the lead in this situation they won't win," the Texan concluded.

"If they take it and lose, let the Democrats and the Fascists behind Wendell Willkie have their left."

Power Issue Stressed. Not alone from Mr. Maverick did the committee hear unfriendly words about Mr. Willkie. Monroe Sweetland, curly-haired and very earnest young spokesman of the Oregon Commonwealth Federation, warned that the Republican nominee heads a fifth column effort by which the utility interests hope to buy their way into the White House.

"They've rigged up this Trojan elephant for the charge," he remarked in amplification, during an appeal to the platform makers to include a strong plank on behalf of public power development and distribution.

"We should make public power the chief issue of the campaign," he urged. "Especially because the Republicans don't want it to be."

Speaking qualified approval of his fellow Oregonian, presidential nominee, the witness described him as a "personified apology for the power trust."

Mrs. Miller, a politician, also contributed a spark to the day's proceedings, among them Mrs. Emma Guffey Miller, sister of Pennsylvania's Democratic Senator. Mrs. Miller, who served notice on her listeners that "it is politicians like myself who put you statesmen in office." Effectively, then, she argued for inclusion in the platform of an endorsement of the equal rights for women amendment.

In varying degrees, assurances of non-intervention and of limited preparedness effort were asked by Carl Johnson, a little man with a green-checked shirt, red tie and tweed suit, whose only label on the list of committee witnesses was that he favored "peace." To get it, he proposed we "annex Canada" and "muzzle all domestic warmongers."

Continuing to be interrupted only for the purpose of drinking two glasses of ice water, he pleaded with the committee members to "let me finish while I'm in the mood."

Throughout the more serious testimony of those wary of "total defense," the administration banner was carried principally by Secretary of Agriculture Wallace and Senator Pepper of Florida, with occasional aid from Representative Carpenter of Kansas and Roy V. Harris, speaker of the Georgia House of Representatives.

During their relative weight, politics and defense did not completely monopolize the day's testimony. Included were the following:

Chairman Randolph of the House District Committee urged a clear-cut declaration in support of national representation and suffrage for the District. After his appearance, Chairman Wagner of the Platform Committee asked the West Virginian to contact committee members individually and to submit a draft of a proposed plank.

Merit System Extension Urged. Luther C. Steward of the National Federation of Federal Employees urged support for extension of the merit system in Government employment and for passage of the Ranspelt bill now pending in the Senate.

Henry Johnson of the National Negro Congress asked endorsement of the Federal anti-lynching bill with provision for closure in Senate consideration of the measure if necessary. Mr. Johnson likewise urged a plank supporting a Federal anti-polit bill.

Several spokesmen for agriculture appeared to pay tribute to the New Deal-Democratic record on behalf of the farmer, and to ask that its improvement be attempted by one or more platform planks next week.

Neville Miller, president of the National Association of Broadcasters, appeared to ask a plank supporting legislation to extend broadcast licenses to five years, to assure court hearings before revocation or denial of licenses and to prohibit Government censorship of program content.

Fleming Gives Plans For Constant Wage Within Law's Limits

'Time Off' Method Or 'Prepayment' Will Offset Fluctuations

By using either the "time off" or the "prepayment" method, employers may maintain a "constant wage" and still comply with the requirements of the Fair Labor Standards Act, Col. Philip B. Fleming, administrator of the Wage and Hour Division, announced yesterday.

Many employers have informed the division it is undesirable to pay workers in industries with seasonal fluctuations a big wage during peak weeks and then allow this to dwindle to a few dollars in the slack season.

Legislation was introduced in Congress last year to permit several constant wage plans to be written into the act. Although Congress failed to act, Administrator Fleming pointed out that there are two methods, under the law, which can be used to maintain a more or less constant wage.

Under the Fair Labor Standards Act employees whose work involves the production of goods moving in interstate commerce must be paid a minimum wage of 30 cents an hour, with compensation at one and a half their regular rate of pay for all hours worked in excess of 42 in any single week. Averaging of hours from one week to another is not permitted; a single week remains the yardstick for calculating compensation due. Nor can pay for overtime be withheld by the employer past the pay day covering the work week, or work weeks, in which the overtime was earned.

'Time Off' Plan Outlined. "Still observing these provisions, it is possible in many cases for an employer to give his workers the benefit of constant wages," Col. Fleming said. "One method that would come within the present law by the 'time off' plan. The second method calls for 'prepayment' of overtime wages."

"Using the 'time off' method, an employer may so control working hours in his plant that even with overtime compensation figured at the time-and-a-half rate, pay checks will not exceed a stated amount. For example, where an employer wishes to set an employee at a \$42 limit for a two-week period and that same employee puts in overtime in the first week enough to make that week's pay total more than \$21, the employer may cut the second week's working hours enough to keep the employee's wage for the whole period at \$42."

Prepayment Solves Problem. "This does not mean, of course, that an employee cannot work as much overtime as may be required. There is nothing in any part of the wage and hour law prohibiting the employer of setting any arbitrary limit on hours that may be worked so long as the required time-and-a-half is paid." The time off plan can only be used with bi-weekly, semi-monthly or monthly pay periods.

"Under the 'prepayment' system the employer pays a little more each payday than he actually has earned," Col. Fleming said. "The advance payments build up a reserve of 'overtime' due. For instance, the employee's regular hourly rate may total but \$19.50 for a two-week period, but he is paid \$20.00. However, he has \$20.00 or \$15.00 more than required. Perhaps the employee will work for three weeks on this basis, thus actually receiving an advance of \$4.50 on work not yet performed. And then comes a rush job and the extra hours that the employee must work are charged off at time-and-a-half the regular rate, against the \$4.50."

Clipper at Honolulu On Way to New Zealand

By the Associated Press. HONOLULU, July 13.—The American Clipper, establishing the first commercial air service between the United States and New Zealand, alighted in the harbor here at 8:22 a.m. today. The big plane left Los Angeles at 7:35 p.m., E. S. T., last night.

Carrying 27 non-paying passengers, crew of 10 and a load of mail and express, the 42-ton four-engine flying boat averaged 151 miles an hour.

The Pan-American Airways' ship will take off at 6 a.m. tomorrow for Canton Island.

After an overnight stop at the tiny mid-Pacific atoll, the Clipper's 50-hour schedule calls for a stop at Noumea, New Caledonia. Then it will continue on to Auckland, bringing the United States two weeks nearer the lands "down under." Normal steamer time is 17 days.

Babcock Aircraft Corp. Buys Engine Plant

By the Associated Press. DELAND, Fla., July 13.—The Babcock Aircraft Corp. has purchased all assets of Rover Aircraft Motors of Dayton, Ohio, and will start production of airplane engines at the local plant about August 15.

Fred L. Foster, Babcock president, said the Rover plant was valued at \$185,000 and that the sale involved all engineering data, master drawings, tools, machinery and a large stock of unfinished engines and parts.

"The real bottleneck of the aircraft industry, as every one knows, is the engine situation," Mr. Foster said in announcing the purchase. "Wishing to relieve ourselves of a delay in delivery of Babcock planes, we decided our best protection was to purchase the entire plant and manufacture our own engines."

Britain Rejects Gandhi's Non-Violent War Plan

By the Associated Press. WARDHA, India, July 13.—Britain has rejected Mohandas K. Gandhi's suggestion that the principle of non-violent resistance be applied to Germany, the Mahatma disclosed today.

He made public a letter from the viceroy, the Marquess of Linlithgow, saying the British government "does not believe that a policy of non-violence, in common with the whole empire, (the government) are firmly resolved to prosecute the war to a victorious conclusion."

Wife of Bergdoll Receives \$307,289 From Government

80 Per Cent of Property Of Draft Evader Released by U. S.

Mrs. Berta Bergdoll, German wife of Grover Cleveland Bergdoll, Philadelphia draft dodger, yesterday received 80 per cent of the property of her husband which was seized during the World War and held by the Government.

The refund, which totaled \$307,289.54 was made to Mrs. Bergdoll in her capacity as attorney in fact for her husband. It consisted of \$249,934 in real estate and securities, and \$57,355.54 in a United States Treasury check.

Won Right in Court.

Return of 80 per cent of the Bergdoll property had been ordered by the Attorney General on October 27, 1939. This order was upheld by Justice Jennings Bailey in District Court on July 11, 1940 in a suit brought by Bergdoll against the Attorney General and the Treasurer of the United States for return of 100 per cent of the property held.

When the Philadelphia fled this country two decades ago to escape service in the American Army, the Alien Property Custodian seized his property. Since the abolition of the custodian's office in 1934 the estate had been administered by the Attorney General. The seized property was valued at approximately \$535,000.

Held for Claims.

The 80 per cent refund to Mrs. Bergdoll was based on the amount left after the Government deducted about \$200,000 for the Army prisoner's income taxes. The remaining 20 per cent, or about \$25,000, will be held subject to deposit in the German special account in the Treasury to pay American citizens who have valid claims against Germany, arising out of the World War. These claims are determined by the Mixed Claims Commission.

Bergdoll returned to this country in May, 1929, to surrender himself to the Army authorities and serve the jail sentence which he evaded on his escape. He is now serving a seven and one-half-year sentence at Sing Sing, N. Y.

Since his return, members of the Bergdoll family, including his mother, brought various suits for recovery of the draft dodger's property and amounts alleged to be owing to them. The German woman who married Bergdoll lives with their six children in Downingtown, Pa., waiting for the day when he will be released.

Readers' Guide and News Summary

The Sunday Star, July 14, 1940.

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BERGDOLL PROPERTY RETURNED—Mrs. Berta Bergdoll, German wife of the Philadelphia draft dodger, is shown here with her attorney, Herman J. Galloway, leaving the Justice Department yesterday after regaining custody of 80 per cent of her husband's property seized during the World War.

—Harris & Ewing Photo.

Music of Invaded Countries To Be Played at Water Gate

Tonight's Program Gesture of Faith, Dr. Kindler Says

Music of the invaded countries of Europe will be presented tonight by the National Symphony Orchestra in a concert beginning at 8 o'clock at the Water Gate. The program follows: "Symphony in D Minor" (Franck), two 16th Century Dutch songs, "Peer Gynt Suite" (Grieg), "Barcarole" (Mendelssohn), "Spinning Song" (Mendelssohn), "Polonaise" (Chopin), "Slavonic Dance No. 10" (Dvorak), "Finlandia" (Sibelius).

Hendrik Willem van Loon, the noted author and a cousin of Dr. Hans Kindler, the conductor, will appear as commentator. Dr. Kindler has written the following explanation of tonight's program:

DR. HANS KINDLER.

This concert is a gesture—a small and possibly a futile gesture—on the part of a musician and all American-born in the now temporarily enslaved country of Holland. The program of this concert is the natural outcome of a sense of sorrow and indignation at the incredibly few tactics of deceit and treachery, broken promises and ruthless invasion, followed by mass bombing and mechanized murder on a scale of which America does not know the exact details, but which we Americans of Dutch birth and descent have privately learned since the exact details of Dutch refugees in this country—details of the infinitely more bloody and extensive and murderous and harrowing than those of the invasion of Poland even.

For over eight weeks the Germans have tried to keep these nauseating details from leaking through. They have locked the doors of our community. Letters were not permitted to leave. Cablegrams were not allowed to be sent. Inquiries remained unanswered. The newspapers, therefore, have not been able to get at the truth.

But we do know that 36 hours before the Germans sent their bombers over Rotterdam and The Hague, the newspapers in Berlin appeared with screaming headlines: "Lying British Accuse Germans of Planned Attack on Lowlands!" Every Berlin newspaper came out at the same moment with these or similar headlines.

The treacherous onslaught. The very next night the Dutch citizens of Rotterdam, lulled into temporary tranquility and hope that the horrors of war might pass them by, relaxing their vigilance after weeks and months of strain, were roused and surprised, and then attacked, annihilated and driven mad by one of the most treacherous and murderous onslaughts of carefully prepared savagery the world has ever known.

At 3 in the morning 200 bombing planes swarmed over the frontier. Less than half an hour later they had covered the short distance to Rotterdam. The citizens of this open city of 400,000 inhabitants stumbled out of their beds, and in their surprise and terror ran onto the streets.

Whereupon, the "brave" Nazis carefully circled three times over the city, each time dropping their loads of hundreds of bombs. The subsequent attacks, the attempts to capture the Queen and her daughter and grandchildren, as well as the cabinet, the 15,000 parachutists descending on The Hague, the use of Dutch uniforms, of children held in front of the "conquering" troops, of all kinds of treachery, would be unbelievable were they not carefully substantiated by the Dutch, known as a sober and reasonable and truth-loving nation.

Must Already "Verboten."

There may be even now certain cynics who will try to defend these tactics. But if the human race is to continue in this direction of degenerate amorality, life for those who believe in eventual evolution is not worth the living. Certainly we have been and will no doubt again be "verboten."

The flaming message of refusal to submit to oppression, for instance, is expressed in the song "See the Cursed Oppressor," written in 1900



DR. HANS KINDLER.

when the Dutch refused to bow under the powerful yoke of the Spanish. It was and has remained a song of defiance against oppression.

As yet the government of the Netherlands, enthusiastically backed by its navy, its faithful citizens in Holland and abroad, and last but not least by its 60,000,000 Javanese, who unanimously have declared their fealty to the little country and its Queen, has not surrendered. They have refused to consider themselves vanquished and have officially declared and maintained the Netherlands as at war with Germany. I firmly believe that this obstinate refusal to recognize the foulest tyranny the world has ever known will result in regained liberty, as it did in the 17th century.

As it is, the spiritual liberty of a nation, no matter how small, can never be conquered. And the program of tonight is one of spiritual victory throughout, from the devout and mystic groping toward the light by the French-Flemish essay Franck to the direct patriotic message of the struggle for liberty in Finland by Sibelius.

My cousin, Hendrik Willem van Loon, the author, will comment tonight on the significance of the different works to be performed.

A Gesture of Faith.

Americans, like the Dutch, believe in liberty. We can still say so without the feel of a bayonet in our backs. We can still read books and listen to music and the radio without being put in concentration camps. We can still watch the planes and airplanes overhead without having the sickening sense of fear of sirens screaming and bombs crashing. We live in peace, and we know compassion; and we want our children to live in peace and to know compassion. But we must be ready to defend these ideals if, as such as we know and want it, it is to go on.

This concert, then, as I said be-

fore, is a gesture—a gesture of faith, a gesture of conviction—a conviction and a principle for our ancestors were rightly willing to lay down their lives. For a world in which we are not willing to fight for our convictions is not worth its existence.

—Harris & Ewing Photo.

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